

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SAFECO INSURANCE COMPANIES,

Plaintiff,

v.

NEW ENGLAND FOUNDATION
COMPANY, INC., PATRICK A. O'NEILL,
and PATRICIA E. O'NEILL,

Defendants.

CIVIL ACTION NO. 1:04-CV-10989-NMG

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties to the above-referenced action hereby stipulate that all claims, counterclaims and cross-claims that were asserted or could have been asserted in connection with the above-captioned action are dismissed, with prejudice, without costs, and all rights of appeal waived.

Respectfully Submitted,

SAFECO INSURANCE COMPANIES
By its attorneys,

/s/ Dwight T. Burns, III
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Two Seaport Lane
Boston, MA 02210

Dated: March 2, 2006

NEW ENGLAND FOUNDATION
COMPANY, INC., PATRICK A. O'NEILL,
and PATRICIA E. O'NEILL,
By their attorneys

/s/ John V. Snellings
John V. Snellings, BBO #548791
Francis C. Morrissey, BBO #567589
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100 Summer Street
Boston, MA 02110

Dated: March ____, 2006